

1  
2  
3  
4  
5  
6  
7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE EASTERN DISTRICT OF CALIFORNIA

9 BERNARD RHODES,

10 Petitioner,

No. CIV S-04-2250 DFL GGH P

11 vs.

12 MIKE KNOWLES, Acting Warden,

13 Respondent.

ORDER

14 \_\_\_\_\_/  
15 Petitioner has requested the appointment of counsel. There currently exists no  
16 absolute right to appointment of counsel in habeas proceedings. See Nevius v. Sumner, 105 F.3d  
17 453, 460 (9th Cir. 1996). However, 18 U.S.C. § 3006A authorizes the appointment of counsel at  
18 any stage of the case “if the interests of justice so require.” See Rule 8(c), Fed. R. Governing  
19 § 2254 Cases. In the present case, the court does not find that the interests of justice would be  
20 served by the appointment of counsel at the present time.

21 Accordingly, IT IS HEREBY ORDERED that petitioner’s June 30, 2006 motion  
22 for appointment of counsel is denied without prejudice to a renewal of the motion at a later stage  
23 of the proceedings.

24 DATED: 7/26/06

/s/ Gregory G. Hollows

25 \_\_\_\_\_  
26 GREGORY G. HOLLOWES  
UNITED STATES MAGISTRATE JUDGE